

Michael Faillace & Associates, P.C.

Employment and Litigation Attorneys

60 East 42nd Street, Suite 4510
New York, New York 10165

Telephone: (212) 317-1200
Facsimile: (212) 317-1620

jandrophy@faillacelaw.com

June 8, 2018

BY

Honorable Roanne L. Mann, U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Rodriguez Yax et al v. Cancun and Cancun Corp. et al
Case No. 18-cv-1936 (AMD) (RLM)

Dear Judge Mann:

I am one of the counsel to Plaintiffs in the above-referenced matter. I write in response to the order to show cause dated June 4, 2018 (Dkt. No. 19).

As referenced in the order to show cause, defendants were served on April 24 and April 28. Their answers were due on May 15 and May 21, 2018 respectively. Plaintiffs will file requests for entry of certificates of default against the defendants no later than June 11, 2018. As Plaintiffs will be doing so less than a month after the deadline for Defendants to answer the complaint, and Plaintiffs have not failed to comply with any court order or the Federal Rules of Civil Procedure, Plaintiffs respectfully maintain that a dismissal pursuant to Rule 41(b) of the Federal Rules of Civil Procedure would not be appropriate.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Joshua S. Androphy
Joshua S. Androphy